

Implications of Exceeding Allowable Suspension Days

Changes with the 11th Day Cumulative Suspension

1. Must provide services necessary on 11th day forward (i.e., a type of F.A.P.E. for the duration of the suspension)
2. Must conduct a Functional Behavioral Assessment
3. Must assure this does not constitute a “change in placement” or “constitute a pattern.” If it is found that this new suspension does constitute a change in placement, Manifestation Determination is now necessary.

Common Sense Suggestions

1. Don't continue to suspend without addressing “behavior impeding learning;” develop plans!
2. Develop school board policy for repeat offenders that target intervention planning at “xx suspension day.”
3. Have individual student options available as part of reactive strategies in an existing behavior support plan, in the IEP, that are not change of placements, but rather are intensifications of behavior support to be utilized at times when further understanding of behavior is necessary.
 - Do **not** remove FAPE, or any service on the IEP
 - Do **not** view or record the “intensified service” as “in-house suspension” or a “disciplinary procedure”
 - **Do** not have measurable, visible outcome resulting from the intensified service communicated to IEP team, with changes in “behavior impeding learning plan” as needed
4. Examine need for systematic changes, teacher training and positive environment provisions when behavior problems are beyond very low incident rates
5. Consider “Opportunity Classroom Options” with highly skilled teachers/aides/administrators with low adult/student ratios across grade levels